

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

GEORGE E. BROWN, JR.,

Plaintiff,

V.

BOBBY PENROD and JANE DOE,

Defendants.

Case No. 1:17-CV-00026-AGF

MEMORANDUM AND ORDER

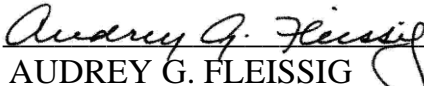
This matter is before the Court on Plaintiff's motion for relief from judgment under Rule 60(b). Doc. 68. Rule 60(b) provides for extraordinary relief only upon an adequate showing of exceptional circumstances. *U.S. Xpress Enters., Inc. v. J.B. Hunt Transp., Inc.*, 320 F.3d 809, 815 (8th Cir. 2003). It is not intended to be a vehicle for seeking reconsideration of merit arguments that were previously considered by the court. *Broadway v. Norris*, 193 F.3d 987, 990 (8th Cir. 1999).

Upon review of the record and Plaintiff's present motion, the Court declines to alter or amend the judgment. Plaintiff's arguments as to the relative reliability of particular individuals' statements in this case were previously examined by the Court at length, not only in its ruling on summary judgment (Doc. 57) but also again on Plaintiff's motion for reconsideration (Doc. 58). Plaintiff does not point to any mistake, newly discovered evidence, fraud, or other exceptional circumstance justifying relief from judgment.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for relief from judgment is **DENIED**. Doc. 68.

IT IS FURTHER ORDERED that no certificate of appealability shall issue.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 19th day of October 2021.